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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/706,721-Conf. #7252
	Filing Date	November 12, 2003
	First Named Inventor	Gregory B. Altshuler
	Art Unit	N/A
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	105090-0207

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  PTO Form PTO/SB/08a Copies of 10 foreign patent documents and 3 non-patent literature documents Return Receipt Postcard
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	NUTTER MCCLENNEN & FISH LLP		
Signature			
Printed name	Deborah A. Miller		
Date	July 18, 2005	Reg. No.	53,328

Transmittal	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
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Dated: July 18, 2005

Signature: Deborah A. Miller

(Deborah A. Miller)

Docket No.: 105090-207

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Gregory Altshuler

Application No.: 10/706,721

Confirmation No.: 7252

Filed: November 12, 2003

Art Unit: Not Yet Assigned

For: Method And Apparatus For Performing Optical  
Dermatology

Examiner: Not Yet Assigned

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08A. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. In accordance with §1.97(b), this statement is being filed before the mailing of a first Office Action.

Applicants have not submitted copies of each cited U.S. patent and each U.S. patent application as required by 37 C.F.R. 1.98 (a)(2)(i) since the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicants submit herewith a copy of each foreign patent and non-patent literature reference in accordance with 37 CFR §1.98(a)(2).

The Applicants hereby make the following additional information of record in the above-identified application.

<u>Application No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
11/028,469	December 31, 2004	G. Altshuler et al.
11/028,481	December 31, 2004	G. Altshuler et al.
11/093,693	March 30, 2005	G. Altshuler et al.
11/091,270	March 28, 2005	Inochkin et al.
11/090,896	March 25, 2005	G. Altshuler et al.

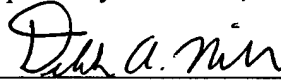
In accordance with 37 CFR 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56 (b) or prior art to this invention.

It is submitted that the Supplemental Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Reference No. 105090-207. A duplicate copy of this paper is enclosed.

Dated: July 18, 2005

Respectfully submitted,

By 

Deborah A. Miller

Registration No.: 53,328

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World Trade Center West

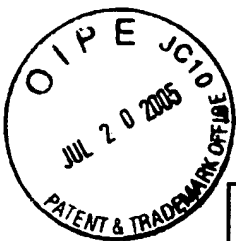
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Agent for Applicants



PTO/SB/08a/b (08-03)

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<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>			
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		Art Unit	N/A		
		Examiner Name	Not Yet Assigned		
Sheet	1	of	5	Attorney Docket Number	105090-0207

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	Re. 38,670	12/14/2004	Asah et al.	
	2	Des. 424, 197	05/02/2000	Sydowski et al.	
	3	1,706,161	03/19/1929	H.P. Hollnagel (Pre Exam)	
	4	2,472,385	06/07/1949	Rollman	
	5	3,486,070	12/23/1969	Engel	
	6	3,846,811	11/05/1974	Nakamura et al.	
	7	3,857,015	12/24/1974	Clark et al.	
	8	4,275,335	06/23/1981	Ishida	
	9	4,456,872	06/26/1984	Froeschle	
	10	4,524,289	06/18/1985	Hammond et al.	
	11	4,561,440	12/31/1985	Kubo et al.	
	12	4,591,762	05/27/1986	Nakamura	
	13	4,745,909	05/24/1988	Pelton et al.	
	14	4,749,913	06/07/1988	Stuermer et al.	
	15	4,884,560	12/05/1998	Kuracina	
	16	4,905,690	03/06/1990	Ohshiro, et al.	
	17	4,928,038	05/22/1990	Nerone	
	18	4,930,504	06/05/1990	Diamantopoulos, et al.	
	19	5,127,395	07/07/1992	Bontemps	
	20	5,267,399	12/07/1993	Johnston	
	21	5,358,503	10/25/1994	Bertwell, et al.	
	22	5,458,140	10/17/1995	Eppstein et al.	
	23	5,531,740	07/02/1996	Black	
	24	5,549,660	08/27/1996	Mendes, et al.	
	25	5,660,836	08/26/1997	Knowlton	
	26	5,722,397	03/03/1998	Eppstein	
	27	5,742,392	04/21/1998	Anderson et al.	
	28	5,769,076	06/23/1998	Mackawa et al.	
	29	5,814,008	09/29/1998	Chen et al.	
	30	5,814,040	09/29/1998	Nelson et al.	
	31	5,814,041	09/29/1998	Anderson, et al.	
	32	5,836,877	11/17/1998	Zavislan	
	33	5,851,181	12/22/1998	Talmor	
	34	5,860,967	01/19/1999	Zavislan et al.	
	35	5,868,731	02/09/1999	Budnik et al.	
	36	5,883,471	03/16/1999	Rodman et al.	
	37	5,916,211	06/29/1999	Quon, et al.	
	38	5,949,222	09/07/1999	Buono	
	39	5,977,723	11/02/1999	Yoon	
	40	6,022,316	02/08/2000	Epstein et al.	
	41	6,026,828	02/22/2000	Altshuler	
	42	6,030,399	02/29/2000	Ignotz et al.	
	43	6,032,071	02/29/2000	Binder	
	44	6,086,580	07/11/2000	Mordon, et al.	
	45	6,117,129	09/12/2000	Mukai	
	46	6,142,939	11/07/2000	Eppstein et al.	
Examiner Signature				Date Considered	

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
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47	6,162,211	12/19/2000	Tankovich et al.	
48	6,162,212	12/19/2000	Kreindel, et al.	
49	6,173,202 B1	01/09/2001	Eppstein et al.	
50	6,183,434 B1	02/06/2001	Eppstein	
51	6,183,500	02/06/2001	Kohler	
52	6,183,773	02/06/2001	Anderson	
53	6,187,001	02/13/2001	Azar, et al.	
54	6,210,425	04/03/2001	Chen	
55	6,214,034	04/10/2001	Azar	
56	6,229,831	05/08/2001	Nightingale et al.	
57	6,236,891	05/22/2001	Ingel et al.	
58	6,263,233 B1	07/17/2001	Zavislan et al.	
59	6,264,649 B1	07/24/2001	Whitcroft et al.	
60	6,319,274	11/20/2001	Shaddock	
61	6,340,495	01/22/2002	Sumian, et al.	
62	6,350,276	02/26/2002	Knowlton	
63	6,358,272	03/19/2002	Wilden	
64	6,383,177 B1	05/07/2002	Balle-Petersen et al.	
65	6,387,089	05/14/2002	Kreindel, et al.	
66	6,402,739	06/11/2002	Neev	
67	6,406,474 B1	06/18/2002	Neuberger et al.	
68	6,424,852 B1	07/23/2002	Zavislan	
69	6,425,912	07/30/2002	Knowlton	
70	6,436,094	08/20/2002	Reuter	
71	6,471,716	10/29/2002	Pecukonis	
72	6,508,785	01/21/2003	Eppstein	
73	6,514,243	02/04/2003	Eckhouse et al.	
74	6,530,915 B1	03/11/2003	Eppstein et al.	
75	6,537,270 B1	03/25/2003	Elbrecht et al.	
76	6,558,372	05/06/2003	Altshuler	
77	6,572,637	06/03/2003	Yamazaki, et al.	
78	6,602,245 B1	08/05/2003	Thiberg	
79	6,629,971	10/07/2003	McDaniel	
80	6,629,989	10/07/2003	Akita	
81	6,632,219	10/14/2003	Baranov et al.	
82	6,653,618	11/25/2003	Zenzie	
83	6,660,000 B2	12/09/2003	Neuberger et al.	
84	6,663,620	12/16/2003	Altshuler et al.	
85	6,663,659	12/16/2003	McDaniel	
86	6,676,654 B1	01/13/2004	Balle-Petersen et al.	
87	6,679,837 B2	01/20/2004	Daikuzono	
88	6,685,699 B1	02/03/2004	Eppstein et al.	
89	6,878,144	04/12/2005	Altshuler et al.	
90	6,689,124 B1	02/10/2004	Thiberg	
91	6,709,269	03/23/2004	Altshuler	
92	6,723,090	04/20/2004	Altshuler et al.	
93	6,743,222	06/01/2004	Durkin et al.	
94	6,790,205	09/14/2004	Yamazaki, et al.	
95	6,878,144	04/12/2005	Altshuler, et al.	

Examiner Signature		Date Considered	
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				Examiner Name	Not Yet Assigned
Sheet	3	of	5	Attorney Docket Number	105090-0207

	96	6,888,319	05/03/2005	Inochkin , et al.	
	97	US2001/0041886	11/15/2001	Durkin et al.	
	98	US2002/0026225	02/28/2002	Segal	
	99	US2002/0123745 A1	09/05/2002	Svaasand et al.	
	100	US2002/0128635	09/12/2002	Altshuler et al.	
	101	US2002/0161357	10/31/2002	Anderson	
	102	US2002/0173780	11/21/2002	Altshuler et al.	
	103	US2002/0091377	07/11/2002	Anderson	
	104	US2002/0005475	01/17/2002	Zenzie	
	105	US2003/0004499	01/02/2003	McDaniel	
	106	US2003/0023283	01/30/2003	McDaniel	
	107	US2003/0032900	02/13/2003	S. Ella	
	108	US2003/0032950	02/13/2003	Altshuler et al.	
	109	US2003/0036680 A1	02/20/2003	Black	
	110	US2003/0055414	03/20/2003	Altshuler et al.	
	111	US2003/0057875	03/27/2003	Inochkin et al.	
	112	US2003/0065314	04/03/2003	Altshuler et al.	
	113	US2003/0100936	05/29/2003	Altshuler et al.	
	114	US2003/0109787	06/12/2003	Black	
	115	US2003/0109860	06/12/2003	Black	
	116	US2003/0129154	07/10/2003	McDaniel	
	117	US2003/0187486	10/02/2003	Savage, et al.	
	118	US2003/0195494	10/16/2003	Altshuler et al.	
	119	US2003/0199859	10/23/2003	Altshuler et al.	
	120	US2003/0232303	12/18/2003	Black	
	121	US2004/0010298	01/05/2004	Altshuler et al.	
	122	US2004/006332 A1	01/08/2004	Black	
	123	US2004/0015156	01/22/2004	Vasily	
	124	US2004/0024388	02/05/2004	Altshuler	
	125	US2004/0030326	02/12/2004	Altshuler et al.	
	126	US2004/0034341	02/19/2004	Altshuler et al.	
	127	US2004/0034319	02/19/2004	Anderson et al.	
	128	US/2004/0073079	04/15/2004	Altshuler et al.	
	129	US2004/0082940	04/29/2004	Black et al.	
	130	US2004/0085026	05/06/2004	Inochkin et al.	
	13	US2004/0093042	05/13/2004	Altshuler et al.	
	132	US2004/0133251	07/08/2004	Altshuler et al.	
	133	US2004/0147984	07/29/2004	Altshuler et al.	
	134	US2004/0162596	08/19/2004	Altshuler et al.	
	135	US2004/0162549	08/19/2004	Altshuler et al.	
	136	US2004/0191729	09/30/2004	Altshuler et al.	
	137	US2004/0193235	09/30/2004	Altshuler et al.	
	138	US2004/0193236	09/30/2004	Altshuler et al.	
	139	US2004/0199227	10/07/2004	Altshuler et al.	
	140	US2004/0204745	10/14/2004	Altshuler et al.	
	141	US2004/0210276	10/21/2004	Altshuler et al.	
	142	US2004/0214132	10/28/2004	Altshuler	
	143	US2004/0225339	11/11/2004	Yaroslavsky et al.	
	144	US2004/0230258	11/18/2004	Altshuler et al.	
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Sheet	4	of	5	Attorney Docket Number	105090-0207

	145	US2005/0038418	02/17/2005	Altshuler et al.	
	146	US2005/0049658 A1	03/03/2005	Connors et al.	
	147	US2005/0049582	03/03/2005	DeBenedictis et al.	
	148	US2005/0107849	05/19/2005	Altshuler, et al.	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)					
	149	DE 9102407		07/11/1991	Mink		
	150	EP 0885629		12/23/1998	Danish Dermatologic Dev		
	151	EP 1226787		07/31/2002	Laserwave S R L		
	152	JP 2001145520		05/29/2001	Sharion		
	153	JP 2003192809		02/01/2005	Yamazaki		
	154	WO 01/26573		04/19/2001	Coherent Inc.		
	155	WO 04/073537		09/02/2004	Palomar Medical Technologies, Inc.		
	156	WO 04/084752		10/07/2004	Palomar Medical Technologies, Inc		
	157	WO 04/086947 A2		10/14/2004	General Hospital Corporation		
	158	WO 05/007003 A1		01/27/2005	Reliant Technologies, Inc.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Sheet	5	of	5	Attorney Docket Number	105090-0207

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	159	Ohshiro et al., "The Ruby and Argon Lasers in the Treatment of the Naevi," Annals Academy of Medicine, April 1983, Vol. 12, No. 2, pp 388-395	
	160	Sumian, C.C. et al., "A Preliminary Clinical And Histopathological Study Of Laser Skin Resurfacing Using A Frequency-Doubled Nd:YAG Laser After Application of Chromofilm®," Journal of Cutaneous Laser Therapy, Vol. 1, pp. 159-166, 1999	
	161	Sumian, C.C. et al., "Laser Skin Resurfacing Using A Frequency Doubled Nd:YAG Laser After Topical Application Of An Exogenous Chromophore," Lasers in Surgery and Medicine, Vol. 25, pp. 43-50, 1999	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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